

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

MARIA MARQUEZ,

Plaintiff,

v.

ELDORADO CW INVESTMENTS, LTD.
d/b/a THE CAR WASH ZONE, and ECWI,
LLC,

Defendants.

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Civil Action No. 3:21-cv-01847-C

**AGREED MOTION FOR CONTINUANCE AND TO EXTEND
PRETRIAL DEADLINES DUE TO OPEN HEART SURGERY**

Defendants Eldorado CW Investments, LTD. d/b/a The Car Wash Zone and ECWI, LLC (collectively, “Defendants”) and Plaintiff Maria Marquez (“Plaintiff”) (together, the “Parties”), file this agreed motion for continuance and to extend pretrial deadlines due to open heart surgery and state:

1. On September 8, 2021, the Court issued a Scheduling Order [Dkt. 7], setting the case for trial at 9:00 a.m. on February 6, 2023. The Scheduling Order set various pretrial deadlines 21 days before the trial date (January 16, 2023).

2. On January 9, 2023, the Court issued an Order Granting Agreed Motion to Extend Pretrial Deadlines [Dkt. 44], extending the Parties’ pretrial deadlines to January 17, 2023 at 3:00 p.m. to avoid scheduled service outages of the Court’s electronic filing system from January 13, 2023 at 5:00 p.m. to January 17, 2023 at 7:00 a.m. The trial date remained the same.

3. On January 9, 2023, counsel for Defendants was notified that its sole corporate representative, Edward Arshouk, experienced emergency health complications with his heart. Mr. Arshouk’s medical provider recommended emergency open heart surgery and extensive

rehabilitation period. Mr. Arshouk has not been deposed in this case and serves as a potential key witness to the Parties.

4. The Parties have conferred and agreed to extend the pretrial deadlines and the trial date in light of Mr. Arshouk's emergency health issues.

5. The Parties request a continuation of the trial date and pretrial deadlines for approximately two months, on or after April 10, 2023, or as soon as the Court's docket allows after two months, excluding the following trial setting. Maria Marquez's attorneys have a jury trial specially set for May 8-19, 2023 in Putnam v. Perficient, Inc., in the Eastern District of Texas, Sherman Division.

6. The Parties request that the various pretrial deadlines be reset for 21 days before the new trial date.

7. In view of the foregoing, the Parties respectfully request that the Court reset the trial date to April 10, 2023 at 9:00 a.m., or as soon as the Court's docket allows after April 10, 2023 [excluding May 8-19, 2023], and extend all pretrial deadlines to 21 days before the new trial date.

Dated: January 12, 2023

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2023, I served the foregoing on Plaintiff, through her counsel of record, *via email* pursuant to the Court's scheduling order as follows:

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